

August 17, 2001

Exemption No. 7605

Regulatory Docket No. FAA-2001-10007

Mr. Mark B. Jones
Vice President, Maintenance
Era Aviation, Inc.
6160 Carl Brady Drive
Anchorage, AK 99502

Dear Mr. Jones:

By letter dated June 11, 2001, you petitioned the Federal Aviation Administration (FAA) on behalf of Era Aviation, Inc. (Era), for an exemption from § 135.152(a) of Title 14, Code of Federal Regulations (14 CFR) to permit Era to operate two Sikorsky S-76A helicopters (S-76A) (registration Nos. N575EH and N579EH; serial Nos. 760366 and 760274, respectively) under part 135 without an approved digital flight data recorder (DFDR) installed.

The FAA issued grants of exemption in circumstances similar in all material respects to those presented in your petition. In Grant of Exemption No. 6785, as amended, (copy enclosed), the FAA found that the petitioner demonstrated valid reasons for exempting the S-76A from the DFDR requirements. The FAA noted that because the material presented by the petitioner supported the FAA's finding of an exception to the rule, exemptions were issued until the FAA could revise § 135.152(k) to include the affected helicopters as exceptions to the DFDR requirements. The FAA also found that exempting certain helicopters from the DFDR requirements would be in the public interest and would not adversely affect safety.

However, the FAA notes that in the statement of policy, Exemptions and Exceptions for Flight Data Recorder Requirements, (66 FR 30310, June 6, 2001), the FAA cautioned that no grant of temporary exemption from the DFDR requirements while an exception status is pending should be used to presume that permanent exemption status will be granted. The notice also indicated the FAA anticipates that some aircraft models that have been granted exemptions may not qualify for exception status, and will have to be modified to fully comply with the applicable regulations.

Having reviewed your reasons for requesting an exemption, I find that they do not differ materially from those presented by the petitioner in the

AFS-01-498-E

enclosed grant of exemption. In addition, I have determined that the reasons stated by the FAA for granting the enclosed exemption also apply to the situation you present.

In consideration of the foregoing, I find that a grant of exemption is in the public interest. Therefore, pursuant to the authority contained in 49 U.S.C. §§ 40113 and 44701, delegated to me by the Administrator, Era Aviation, Inc., is granted an exemption from 14 CFR § 135.152(a) to the extent necessary to operate two S-76As (registration Nos. N575EH and N579EH; serial Nos. 760366 and 760274, respectively) under part 135 without an approved digital flight data recorder (DFDR) installed, subject to the following conditions and limitations:

1. Helicopters included in this exemption must be listed—
 - (a) On the U.S. register on or before August 20, 2001, or
 - (b) As foreign-registered on U.S. operations specifications on or before August 20, 2001.

This exemption terminates on January 31, 2004, unless sooner superseded or rescinded.

Sincerely,

/s/ Nicolas Sabatini
Director, Flight Standards Service

Enclosures

AFS-01-498-E (Docket No. FAA-2001-10007) Exemption No. 7605, 08/17/01

MR. MARK B. JONES
VICE PRESIDENT
MAINTENANCE
ERA AVIATION, INC.
6160 CARL BRADY DRIVE
ANCHORAGE, AK 99502

Certificate holding region: AAL-200, Flight Standards service, Alaskan Region.